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10 Attorneys for Defendant  
11 TEACHSCAPE, INC.

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14  
15 IN THE UNITED STATES DISTRICT COURT  
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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18  
19 LAUREATE EDUCATION, INC.,

20 Plaintiff,

21 vs.

22 TEACHSCAPE, INC.,

23 Defendant.

24 Case No. C 07 3225 RS

25 DECLARATION OF GAYLE M.  
26 ATHANACIO IN SUPPORT OF  
27 DEFENDANT TEACHSCAPE, INC.'S  
28 MOTION TO DISMISS FIRST AMENDED  
COMPLAINT

29 Date: March 19, 2008  
30 Time: 9:30 a.m.  
31 Ctrm: 4 (5<sup>th</sup> Floor)  
32 Judge: The Honorable Richard Seeborg

33 SONNENSCHEIN NATH & ROSENTHAL LLP  
34 525 MARKET STREET, 26<sup>TH</sup> FLOOR  
35 SAN FRANCISCO, CALIFORNIA 94105-2708  
36 (415) 882-5000

1 I, Gayle M. Athanacio, declare as follows:

2 1. I am an attorney at law duly admitted to practice before this Court and a partner of  
 3 the law firm of Sonnenschein Nath & Rosenthal LLP, counsel of record for Defendant  
 4 Teachscape, Inc. ("Teachscape"). I make this declaration in support of Defendant Teachscape,  
 5 Inc.'s Motion for Protective Order. I have personal knowledge of the matters set forth herein and  
 6 could competently testify to them if called upon to do so.

7 2. Attached hereto as Exhibit A is a true and correct copy of this Court's December  
 8 12, 2007 Order Granting Motion to Dismiss, With Leave to Amend.

9 3. Attached hereto as Exhibit B is a true and correct copy of Plaintiff's First Amended  
 10 Complaint for Injunctive Relief and Damages, with Exhibits A through C.

11 4. Attached hereto as Exhibit C is a true and correct copy of Plaintiffs' Complaint for  
 12 Injunctive Relief and Damages.

13 5. Attached hereto as Exhibit D is a true and correct copy of the parties' December 12,  
 14 2007 Joint Case Management Statement.

15 6. Attached hereto as Exhibit E is a true and correct copy of Plaintiff Canter &  
 16 Associates, LLC's Complaint for Injunctive Relief, Restitution and Damages Arising From: (1)  
 17 Misappropriation of Trade Secrets; (2) Intentional Interference with Prospective Economic  
 18 Relationship; (3) Intentional Interference with Contract; (4) Untrue and Misleading Advertising;  
 19 and (5) Unfair Competition, which was filed by Plaintiff in the Superior Court of the State of  
 20 California, City and County of San Francisco on January 23, 2008; Demand for Jury Trial (filed  
 21 January 24, 2008 in San Francisco County Superior Court), and Notice of Related Cases (filed  
 22 January 24, 2008 in San Francisco County Superior Court).

23 I declare under penalty of perjury under the laws of the United States of America and the  
 24 State of California that the foregoing is true and correct.

25 Executed this 8<sup>th</sup> day of February, 2008, at San Francisco, California.

26 By: \_\_\_\_\_ /S/  
 27 GAYLE M. ATHANACIO  
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